

To the Honorable Council City of Norfolk, Virginia

February 25, 2014

From:

George M. Homewood, AICP CFM, Acting Planning Director

Subject:

Tidewater Commerce Center General Plan Amendment and Rezoning

Reviewed:

Ronald H. Williams, Jr., Assistant City

Manager

KINW

Ward/Superward: 4/7

Item Number:

Approved: \ \ \ \ \ \ \

R-1

Marcus D. Jones, City Manager

I. Staff Recommendation: Approval.

II. Commission Action:

- By a vote of 4 to 2, the Planning Commission recommends Approval of both requests.
- The Commissioners opposing the request preferred to continue the item to allow additional public input on the conceptual site plan.
- **III.** Request: The applicant is proposing to amend the *Future Land Use Map* from industrial to commercial, and rezone the property from industrial to commercial and limit the uses that could be developed on the site.
- IV. Applicant: Tidewater Commerce Center by Runnymeade Corp.

V. Description:

- The applicant proposes to improve the property for commercial development excluding an Adult Novelty Store, an Eating and Drinking Establishment, an Entertainment Establishment, Manufactured Home Sales and Service and an After Hours Membership Organization establishment.
- The applicant has proffered that the site will generally be developed in accordance with a site plan depicting two retail buildings (10,000 and 12,000 square feet), two right-in/right-out access ways, no access on Brambleton Avenue, a stormwater pond and a pedestrian access way.
- Subsequent to the Planning Commission's hearing, the right turn from Tidewater Drive to Brambleton Avenue was modified and an entrance from Brambleton Avenue was created as depicted on the attached plan and approved by the Department of Public Works.
- A Traffic Impact Analysis will also be submitted for review and approval by the Department of Transportation.
- VI. Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Planning Commission Recommendations to City Council dated October 22, 2013 with attachments
- Proponents and Opponents
- Ordinances



To the Honorable Council City of Norfolk, Virginia

From:

Frank M. Duke, AICF

Planning Director

October 22, 2013

Subject: The following applications on property located at 630 and 660 Tidewater Drive – Tidewater Commerce Center:

- a. Amendment to the future land use map, "Map LU-1," of the City's general plan, plaNorfolk2030, from Industrial to Commercial.
- b. For a Rezoning from I-1 (Limited Industrial) district to conditional C-2 (Corridor Commercial) district.

Ward/Superward: 4/7

Item Number: CM Office will add

Reviewed: Ronald H. Williams, Jr.,

Assistant City Manager

Approved:

Marcus D. Jones, City Manager

I. Recommendation: Set public hearing.

II. Applicant:

Tidewater Commerce Center by the Runnymede Corp.

630 and 660 Tidewater Drive

III. Description:

- The applicant proposes to improve the property for commercial development excluding an Adult Novelty Store, an Eating and Drinking Establishment, an Entertainment Establishment, Manufactured Home Sales and Service and an After Hours Membership Organization establishment.
- The applicant has proffered that the site will generally be developed in accordance with a site plan depicting two retail buildings (10,000 and 12,000 square feet), two right-in/right-out access ways, no access on Brambleton Avenue, a stormwater pond and a pedestrian access way.
- A Traffic Impact Analysis will also be submitted for review and approval by the Department of Transportation.

IV. Analysis

The site is located on the southeast corner of Tidewater Drive and Brambleton Avenue.

Plan Amendment

- plaNorfolk2030 designates this site as Industrial making the proposed use inconsistent with plaNorfolk2030.
 - An amendment to Commercial is necessary for the proposed use to be consistent with plaNorfolk2030.
- The Identifying Land Use Strategies chapter of *plaNorfolk2030* includes an action encouraging the creation of new exclusively-commercial locations in nodes at the intersections of roads.
- Since this property is located within a neighborhood with limited retail uses and it is located at the intersection of two major roads, the commercial designation is appropriate.

Change of Zoning

- If the plan amendment is approved, the request would be consistent with plaNorfolk2030.
- This nearly four acre site is located at the intersection of Tidewater Drive and Brambleton Avenue on a portion of Tidewater that is developed with multi-family residential, office uses, and retail services.
- Commercial development of the site is appropriate subject to the proffered conditions including the conceptual site plan and a Traffic Impact Analysis.

V. <u>Traffic Analysis</u>

- VDOT review of the proposed rezoning was completed as required under State Law due
 to the potential of the site to generate more than 5,000 trips a day from the list of
 available commercial uses and also its proximity to the Interstate highway system.
- The State's comments on the proposal are attached as part of the record; however, the comments note that the VDOT review did not consider the impacts to the Citymaintained street network including Tidewater Drive and Brambleton Avenue.
- Detailed traffic impact analysis and study should be required during Site Plan Review process since the final development plan for the location could require the provision of additional off-site vehicular and pedestrian transportation improvements.
- Left turn movements into and out of the site will be a critical consideration.
- The site is near frequent transit services with Route 8 operating along Tidewater Drive and Routes 9, 13, and 18 servicing Brambleton Avenue adjacent to the site.

VI. Financial Impact

The applicant is current on all real estate taxes.

VII. Environmental

- If approved, the site would have to be approved through the Site Plan Review process including provision of landscaping and stormwater facilities.
- The applicant has recently removed the abandon buildings on the property.
- A letter of support was received from a nearby property owner.

VIII. Community Outreach/Notification

- Legal notice was posted on the property on August 20.
- Letter was sent to the Calvert Square Advisory Council and the Tidewater Gardens Resident Management Corp. on August 30.
- Letters were mailed to all property owners within 300 feet of the property on September 10.
- Notice was sent to the home associations by the Department of Communications on September 10.
- Legal notification was placed in *The Virginian-Pilot* on September 12 and 19.
- The Planning Commission Public Hearing was held on September 26, 2013.
- Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VII. Board/Commission Action

- By a vote of 4 to 2, the Planning Commission recommended that the request for a general plan amendment and conditional rezoning be approved, subject to the conditions outlined in the attached ordinance.
 - The Commissioners opposing the request preferred to continue the item to allow additional public input on the conceptual site plan.

IX. Coordination/Outreach

This report has been coordinated with the Department of Planning and Community Development, and the City Attorney's Office.

Supporting Material from the Department of Planning and Community Development:

- Ordinances
- Future Land Use Map
- Location Map
- Zoning Map
- Application
- Letter from the Commonwealth of Virginia Department of Transportation
- Letters to the home associations
- E-mail of support from nearby property owner

Agenda Overview

The following applications on property located at 630 and 660 Tidewater Drive – Tidewater Commerce Center:

- **a.** Amendment to the future land use map, "Map LU-1," of the City's general plan, plaNorfolk2030, from Industrial to Commercial.
- **b.** For a Rezoning from I-1 (Limited Industrial) district to conditional C-2 (Corridor Commercial) district.

If approved, the request would set the public hearing to amend the general plan and change the zoning to allow for a commercial development. Approval is recommended.

Marcus, please approve text for Agenda Overview

- □ Approved□ Approved with changes
- Request to amend the general plan and change the zoning to allow for a commercial development.
- plaNorfolk2030 designates this site as Industrial making the proposed use inconsistent with plaNorfolk2030.
 - An amendment to Commercial is necessary for the proposed use to be consistent with plaNorfolk2030.
- The Identifying Land Use Strategies chapter of plaNorfolk2030 includes an action encouraging the creation of new exclusively-commercial locations in nodes at the intersections of roads.
- Since this property is located within a neighborhood with limited retail uses and it is located at the intersection of two major roads, the commercial designation is appropriate.
- If the plan amendment is approved, the request would be consistent with plaNorfolk2030.
- This nearly four acre site is located at the intersection of Tidewater Drive and Brambleton Avenue on a portion of Tidewater that is developed with multi-family residential, office uses, and retail services.
- Commercial development of the site is appropriate subject to the proffered conditions including the conceptual site plan and a Traffic Impact Analysis.
- By a 4 to 2 vote the Commission recommended approval.

Proponents and Opponents

Proponents

Vincent Mastracco 150 West Main Street Norfolk, VA 23510

Donald Frederick 600 22nd Street, Suite 400 Virginia Beach, VA 23451

Michael Fine 600 22nd Street, Suite 400 Virginia Beach, VA 23451

Bryant Goodloe 8809 Adams Drive East Suffolk, VA 23433

Bob Miller 5033 Rouse Drive Virginia Beach, VA 23462

Opponents

None

09/23/13 tsv

Form and Correctness Approved

Office of the City Attorney

Contents Approved:

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

R-1

GENERAL ORDINANCE TO AMEND THE CITY'S ANTO CHANGE THE LAND USE PLANORFOLK2030, SO AS LOCATED 630 660 DESIGNATION FOR PROPERTY ATTIDEWATER DRIVE FROM INDUSTRIAL TO COMMERCIAL.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the land use designation set forth in the City's general plan, <u>plaNorfolk2030</u>, for the property located at 630 to 660 Tidewater Drive is hereby changed from Industrial to Commercial. The property which is the subject of this change in land use designation is more fully described as follows:

Property fronting 330 feet, more or less, along the southern line of East Brambleton Avenue and 748 feet, more or less, along the eastern line of Tidewater Drive; property also fronts 527 feet, more or less, along the western line of May Avenue; premises numbered 630 to 660 Tidewater Drive.

Section 2:- That this ordinance shall be in effect from the date of its adoption.

09/23/13 tsv

Form and Correctness Approved

Office of the City Attorney

Contents Approved:

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 630 TO 660 TIDEWATER DRIVE FROM I-1 (LIMITED INDUSTRIAL) DISTRICT TO CONDITIONAL C-2 (CORRIDOR COMMERCIAL) DISTRICT.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 630 to 660 Tidewater Drive is hereby rezoned from I-1 (Limited Industrial) District to Conditional C-2 (Corridor Commercial) District. The property is more fully described as follows:

Property fronting 330 feet, more or less, along the southern line of East Brambleton Avenue and 748 feet, more or less, along the eastern line of Tidewater Drive; property also fronts 527 feet, more or less, along the western line of May Avenue; premises numbered 630 to 660 Tidewater Drive.

Section 2:- That the property rezoned by this ordinance shall be subject to the following conditions:

- (a) The following uses shall be prohibited on the property:
 - (1) Adult Novelty Store
 - (2) After Hours Membership Organization
 - (3) Eating and Drinking Establishment
 - (4) Entertainment Establishment
- (b) The site shall be developed generally in accordance with the attached conceptual plan of development, entitled "Conceptual Site Layout Plan of Tidewater Commerce Center, Brambleton Avenue & Tidewater Drive, Norfolk, Virginia",

dated February 11, 2013, which plan includes one 12,000 square foot retail building and one 10,000 square foot retail building, two right-in/right out vehicular access ways from Tidewater Drive, a storm water management pond, and a pedestrian walkway. The conceptual plan of development is attached hereto as "Exhibit A".

(c) A traffic impact analysis shall be provided to the Department of Public Works for review and approval.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

ATTACHMENT: Exhibit A (1 page)

REZONING EXHIBIT FOR

TIDEWATER COMMERCE CENTER

630 & 660 Tidewater Drive Norfolk, Virginia

Site Data
Total Site Area:
GPIN:

±3.87 AC 1437365260

Existing Zoning: Proposed Zoning:

C-2



CURVE TABLE							
CURVE	RADIUS	LONGTH	TANCENT	CHORD	DEATING	DELTA	
CI	20.00	104.70	86,36*	86.59	N75' 47' 42"E	119'05'39"	
CZ	25.00	31.94	19.57	29.81"	513" 22" 40"E	7372'04"	

DATE: 03/11/13 EXHIBIT FOR REZONING



MSA, P.C. 5033 Rouse Drive, Virginia Beach, VA 23462 757-490-9264 (Ofc) 757-490-0634 (Fax)

MSA PROJ. # 11150

Bull, Allan

To:

Daughtrey, Breck

Subject:

RE: Tidewater Commerce Center

From: Daughtrey, Breck

Sent: Tuesday, February 11, 2014 11:31 AM

To: Bull, Allan; Wilder, Shelia

Subject: FW: Tidewater Commerce Center

FYI

From: Williams, Ron

Sent: Tuesday, February 11, 2014 11:30 AM

To: Daughtrey, Breck

Cc: Homewood, George; Keifer, John; Brown, Rob **Subject:** FW: Tidewater Commerce Center

Breck

We need a continuance again this evening.

Ronald H. Williams, Jr. Assistant City Manager City of Norfolk 810 Union Street Norfolk, VA 23510 Direct: 757-664-4060 Cell: 757-323-1798



From: Mastracco, Vincent J., Jr. [mailto:vjmastracco@kaufcan.com]

Sent: Tuesday, February 11, 2014 10:57 AM

To: Williams, Ron

Subject: RE: Tidewater Commerce Center

Ron,

This email will confirm my agreement to continue the rezoning application for the Tidewater Commerce Center from Tuesday, Feb 11 until Tuesday Feb 25.

Vince

Vincent J. Mastracco Jr. **Kaufman & Canoles, P.C.** 150 W. Main Street, Suite 2100 Norfolk, VA 23510-1665

T (757) 624.3213 F (757) 624.3169 vjmastracco@kaufcan.com www.kaufCAN.com

From: Williams, Ron [mailto:Ron.Williams@norfolk.gov]

Sent: Tuesday, February 11, 2014 10:37 AM

To: Mastracco, Vincent J., Jr.

Subject: Tidewater Commerce Center

Vince:

Per our voicemail exchange last night, I am inquiring to seek confirmation from you that you agree with a continuance of the rezoning application for City Council this evening.

Additionally, I will have our staff contact your office today to schedule our next meeting to discuss transportation related alternatives for the development.

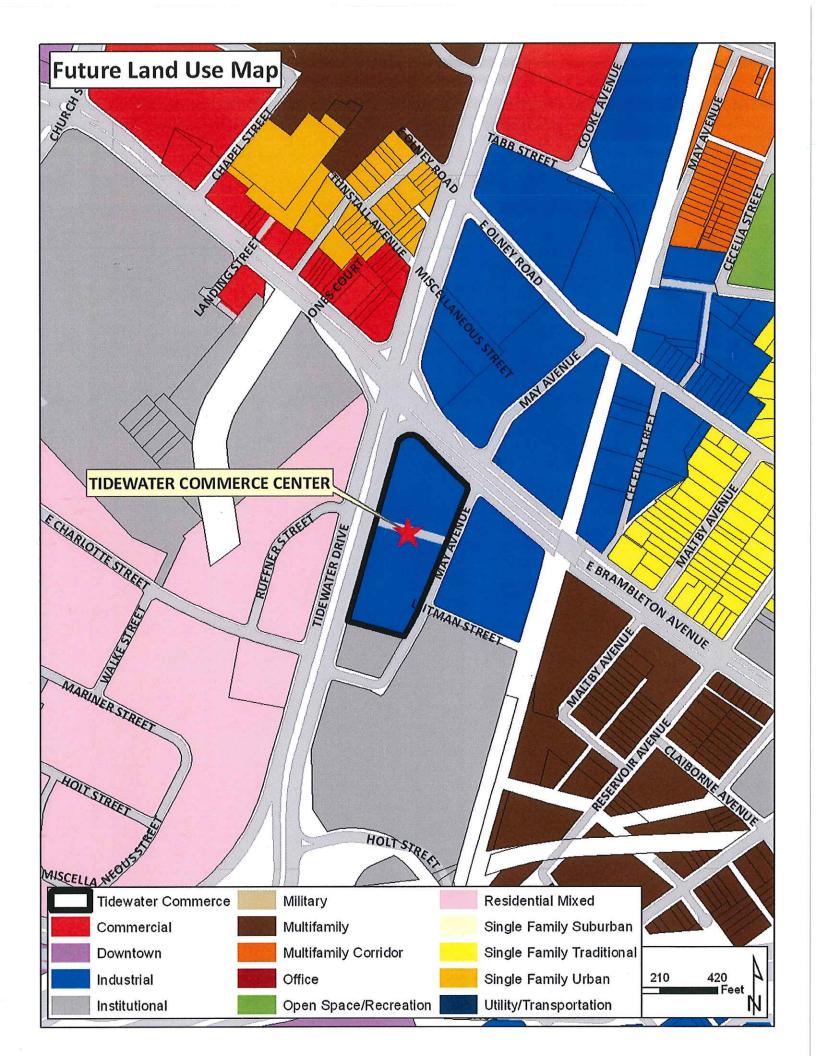
Thanks, Ron

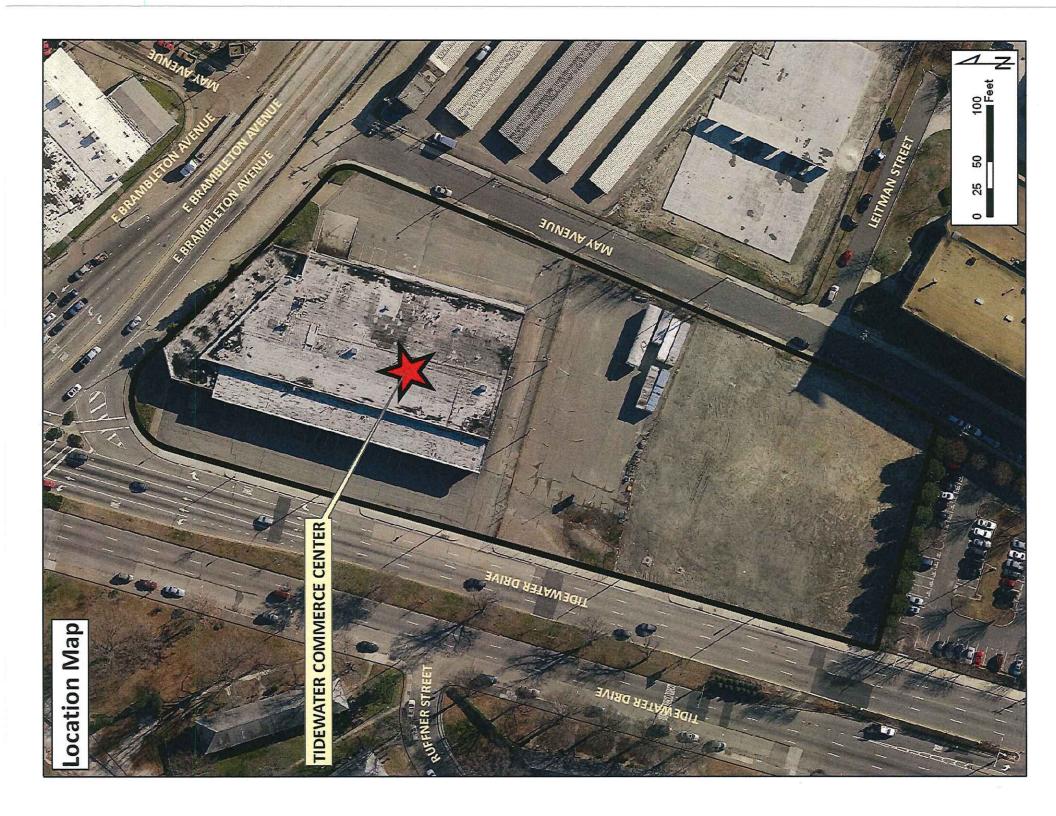
Ronald H. Williams, Jr. Assistant City Manager City of Norfolk 810 Union Street Norfolk, VA 23510 Direct: 757-664-4060 Cell: 757-323-1798 Norfolk

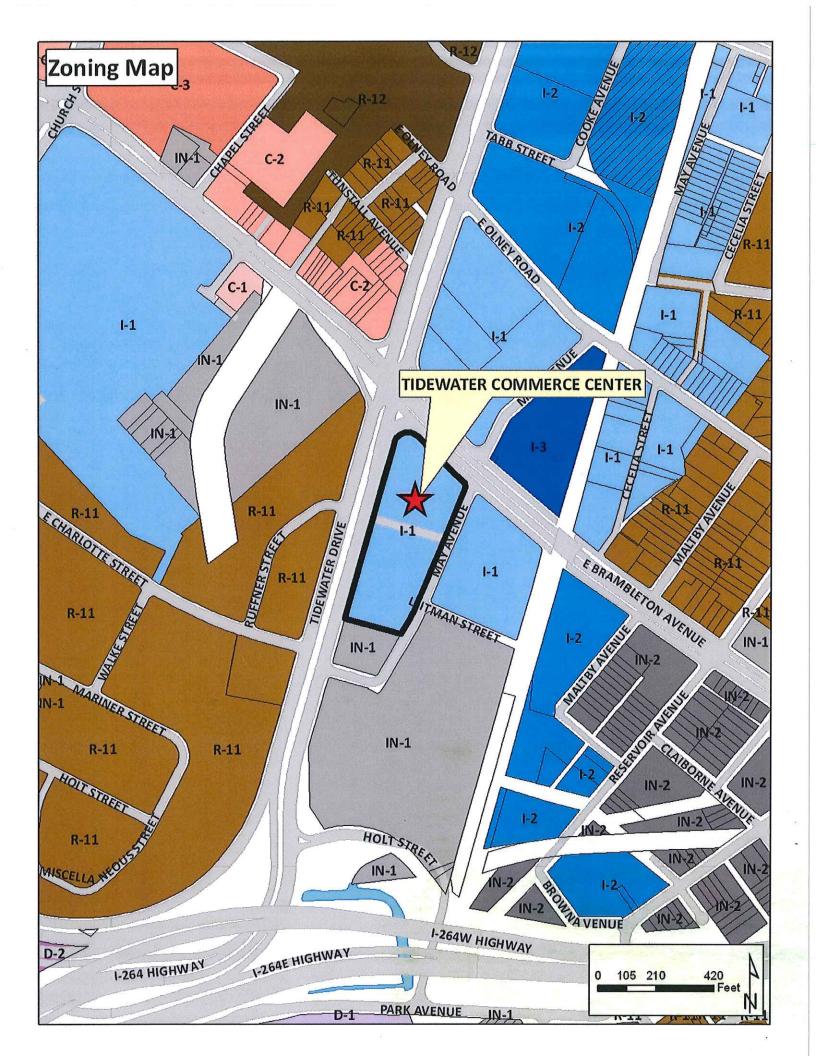


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Disclosure Required by Internal Revenue Service Circular 230: This communication is not a tax









AMENDED APPLICATION CHANGE OF ZONING

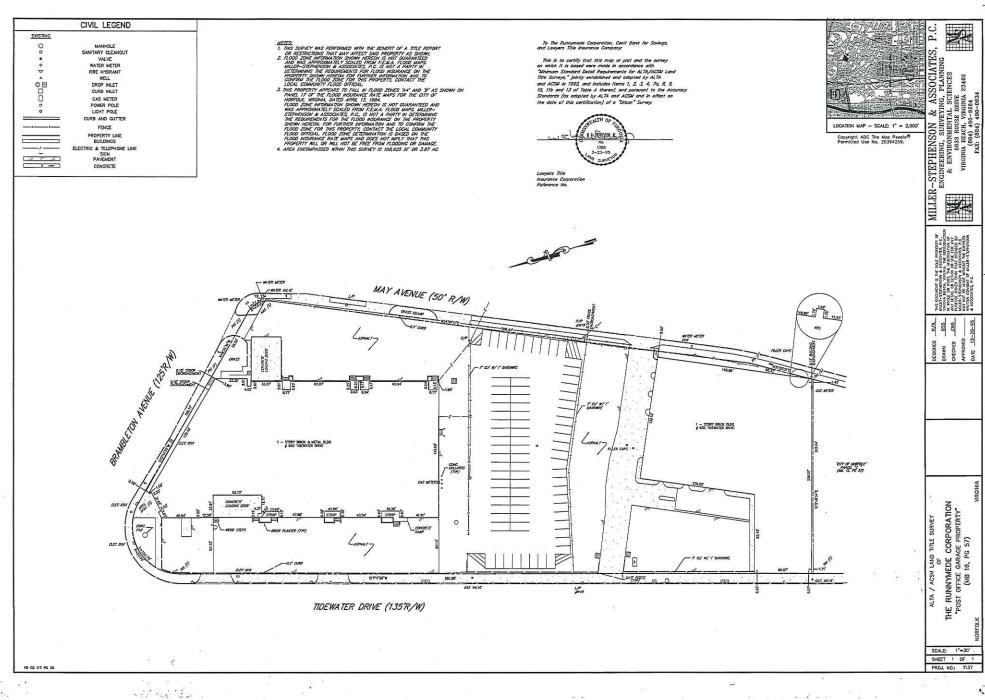
Date of application: 3/11/13 Amended
Change of Zoning Conditional From: 1-1 Zoning To: C-2 Zoning
DESCRIPTION OF PROPERTY
Property location: (Street Number) 630-660 (Street Name) Tidewater Drive
Existing Use of Property: 1-1
Current Building Square Footage +/- Demo
Proposed Use Conditional C-2 with Proffers
Proposed Building Square Footage N/A
Trade Name of Business (If applicable) Tidewater Commerce Center
APPLICANT/ PROPERTY OWNER
1. Name of applicant: (Last) The Runnymede Corp. (First) (MI)
Mailing address of applicant (Street/P.O. Box): 600 22nd Street, Suite 400
(City) Virginia Beach (State) VA (Zip Code) 23451
Daytime telephone number of applicant ([757]) 422-1568 Fax ([757]) 422-9815
E-mail address of applicant; mjbarrett@runnymedecorp.com

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

810 Union Street, Room 508 Norfolk, Virginia 23510 Telephone (757) 664-4752 Fax (757) 441-1569 (Revised July, 2013)

Page 2	
2. Name of property owner:(Last)SAME First) (MI)](
Mailing address of property owner (Street/P.O. box):	
(City) (State) (Zip Code)	
Daytime telephone number of owner (Fax number ()	
CIVIC LEAGUE INFORMATION	
Civic League contact: Karen Tanner, Brambleton Civic League	
Date(s) contacted: N/A	
Ward/Super Ward information: 4/7	
REQUIRED ATTACHMENTS Check for \$415.00 made payable to: Norfolk City Treasurer ≥ 8½x14 copies of a survey or site plan drawn to scale showing: Existing and proposed building structures Driveways Parking Landscaping Property lines (see attached example) Description and details of the operation of the business (i.e., # of employees, # of bar reason for rezoning, etc)	ys,
CERTIFICATION: I hereby submit this complete application and certify the information contain herein is true and accurate to the best of my knowledge: SIGNED: (Property owner or authorized agent signature) (Date) (Applicant signature) (Date)	ed
(Applicant signature) (Date)	

810 Union Street, Room 508 Norfolk, Virginia 23510 Telephone (757) 664-4752 Fax (757) 441-1569





COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1700 North Main Street SUFFOLK, VIRGINIA 23434

GREG WHIRLEY
COMMISSIONER

July 25, 2013

Jeff Raliski, AICP City of Norfolk Planning 810 Union Street, Suite 508 Norfolk, VA 23510

Re:

Tidewater Commerce Center

Chapter 527 Submittal (TIA)

Tidewater Drive City of Norfolk

Dear Mr. Raliski,

In accordance with the Virginia Traffic Impact Analysis Regulations, 24 VAC 30-155, a Traffic Impact Study prepared by Bryant B. Goodloe, P.C., dated June 18, 2013, was submitted to the Virginia Department of Transportation (VDOT) for review. Because of the site's proximity to a state controlled highway (Interstate 264) and the required rezoning of the property to accommodate the proposed use, a traffic study has been submitted to determine the impacts of the development on the surrounding road network.

Our report is attached to assist the City in their decision making process regarding this rezoning application.

In general, the TIA is found compliant with the regulations and our findings are provided in the attached Evaluation Report.

It is asked you arrange to have the VDOT's comments included in the official public records, and to have both this letter and the VDOT report placed in the official file for the subject case. VDOT will make these documents available to the public through various means, including posting them to the VDOT website.

Please contact me at the Hampton Roads District Office at (757) 925-1594 if you have any further questions regarding this report.

Sincerely,

Tommy Catlett, P.E. Area Land Use Engineer

EVALUATION REPORT OF

TIDEWATER COMMERCE CENTER TRAFFIC IMPACT ANALYSIS

1. We concur with the proposed trip generation rates as provided in the submitted study based on the following development:

A commercial development on the northern portion of the property A retail development on the southern portion of the property

The proposed uses have the potential to generate 2,991 daily, 171 AM peak hour, and 247 PM peak hour trips on the roadway network.

A trip reduction was applied by using 40% pass-by trips for the gas/convenience and 20% for the commercial.

After these reductions, the proposed development would generate 1,853 daily, 104 AM peak hour, and 153 PM peak hour trips.

- 2. We concur with the proposed site traffic distribution, assignment, reductions, and background traffic growth methodology as provided in the submitted study. Should the uses change as users of the site are identified, it should be updated to verify there is no significant increase in traffic.
- 3. Note that VDOT's review of the submitted traffic impact analysis focused on operations and impacts on the state maintained system. Within the scope of this study, the state maintained system includes I-264 and two Interchanges: I-264/Tidewater Drive and I-264/Brambleton Avenue. Intersections on the city street network were not fully reviewed.
- 4. No roadway improvements to the VDOT maintained system were evaluated or proposed within the study.
- 5. We concur with the submitted traffic impact analysis in that this development will have a minimal impact on the surrounding roadway network maintained by this department.
- 6. Acceptable Levels of Service are maintained or not changed at all with the build scenario of this project as indicated in the study.



August 30, 2013

Michelle Cook
President, Tidewater Gardens Resident Management Corporation
1016 Mariner Street
Norfolk, VA 23504

Dear Ms. Cook:

The Planning Department has received an application to change the zoning from I-1 (Light Industrial) district to Conditional C-2 (Corridor Commercial) district on property located at 630-660 Tidewater Drive by the Runnymede Corp. This item is tentatively scheduled for the September 26, 2013 City Planning Commission public hearing.

Summary

This application allows the applicant to develop the site with any use contained in the attached Table of Land Uses in the C-2 district except an Adult Novelty Store, an Eating and Drinking Establishment, an Entertainment Establishment, Manufactured Home Sales and Service or an After Hours Membership Organization establishment.

If you would like additional information on the request, you may contact the applicant at (757) 422-1568 or you may telephone Susan Pollock on my staff at (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,

Frank Mr. Duke, AICP

Planning Director

cc: Onecia Howard, Neighborhood Development Specialist



August 28, 2013

Deborah AsSabur-Glover President, Calvert Square Advisory Council 893 Bagnall Road Norfolk, VA 23504

Dear Ms. AsSabur-Glover:

The Planning Department has received an application to change the zoning from I-1 (Limited Industrial) district to Conditional C-2 (Corridor Commercial) district on property located at 630-660 Tidewater Drive by the Runnymede Corp. This item is tentatively scheduled for the September 26, 2013 City Planning Commission public hearing.

Summary

This application allows the applicant to develop the site with any use contained in the attached Table of Land Uses in the C-2 district except an Adult Novelty Store, an Eating and Drinking Establishment, an Entertainment Establishment, Manufactured Home Sales and Service or an After Hours Membership Organization establishment.

If you would like additional information on the request, you may contact the applicant at (757) 422-1568 or you may telephone Susan Pollock on my staff at (757) 664-4765. A copy of the complete application is enclosed.

Sincerely,

Frank M. Duke, AICP

Planning Director

cc: Onecia Howard, Neighborhood Development Specialist

Pollock, Susan

From:

Darryl Barnes <dbarnes22000@yahoo.com>

Sent:

Thursday, September 26, 2013 2:53 PM

To:

Pollock, Susan

Subject:

Re: 630-650 Tidewater Drive

Sorry for the delay.

The proposed project looks nice. I would not be opposed to it, if their is no negative effects to the surrounding area.

Darryl Barnes

Sent from my iPhone

On Sep 26, 2013, at 9:23 AM, "Pollock, Susan" < susan.pollock@norfolk.gov > wrote:

So we can inform the commissioners, does your opposition stand?

Susan Pollock

Principal Planner, Land Use Services

Phone: (757) 664-4765 Fax: (757) 441-1569

Department of Planning and Community Development

810 Union Street, Room 508 Norfolk, Virginia 23510

From: db [mailto:dbarnes22000@yahoo.com]
Sent: Wednesday, September 25, 2013 3:52 PM

To: Pollock, Susan

Subject: Re: 630-650 Tidewater Drive

Mrs. Pollard

Thank you very much

Darryl Barnes

From: "Pollock, Susan" < susan.pollock@norfolk.gov >

To: 'db' <dbarnes22000@yahoo.com>

Sent: Wednesday, September 25, 2013 2:31 PM

Subject: RE: 630-650 Tidewater Drive

Mr. Barnes,

Attached is the site plan which will be a condition of the rezoning.

Susan Pollock